

Licensing Sub-Committee

Thursday, 25th November, 2010

PRESENT: Councillor S Armitage in the Chair

Councillors J Dunn and G Hyde

135 Election of the Chair

RESOLVED – Councillor Armitage was elected Chair for the meeting

136 Late Items

No formal late items of business were added to the agenda. All parties were however in receipt of additional information submitted by the Premise Licence Holder after the despatch of the agenda.

137 Declarations of Interest

There were no declarations of interest

138 "The Vine" - Application for the Review of a Premises Licence - The Vine, 13 The Headrow, Leeds LS1 6PU

The Sub-Committee considered an application made by West Yorkshire Police under section 51 of the Licensing Act 2003 for the Review of a Premises Licence held at the premises known as "The Vine", 13 The Headrow, Leeds LS1.

Present at the hearing:

**West Yorkshire Police –
the applicant. (WYP)**

Sgt. R Fullilove
Ch. Ins. V Francis
Sgt. M Mynard
Mr B Patterson
Mrs D Town

**Abbey Business Contracts Ltd -
Premise Licence Holder (PLH)**

Mr D Holmes - Managing director
Mr M Cooney - Area manager
Mr W Joyce - Designated
Premises Supervisor
Mrs R Joyce

The Sub-Committee first considered representations from WYP who provided the background of events leading up to the Review application and details of previous incidents directly related to The Vine. WYP suggested that this pub in this location required strong management and highlighted failings in the day to day management of the pub, supervision and training of staff and doorstaff and the competence of the previous Designated Premises Supervisor (DPS). Serious failings in the communication between the DPS and Abbey Business Contracts (ABC) were identified.

WYP suggested that these issues were a contributing factor to the levels of drunken, violent and anti social behaviour associated with The Vine. WYP stated that the management of the pub undermined the licensing objectives intended to prevent crime and disorder – highlighting one particular fight on 1st July 2010 which spilled out onto the street – and the protection of children

from harm – highlighting a successful test purchase on 11th August 2010. Evidence within their submission showed that incidents occurred in and around the pub throughout all hours the premises was open and were not restricted to night time.

WYP did acknowledge that matters had improved since a new DPS had been employed however they remained concerned about overall management practices. WYP requested the Sub Committee consider suspension of the Premises Licence to provide the PLH time to address the concerns raised and the imposition of mandatory conditions they felt necessary to maintain effective management of the pub in the future.

The Sub Committee viewed CCTV footage of the incident which took place 1st July 2010 and a photograph of the volunteer who undertook the test purchase for West Yorkshire Trading Standards and WYP on 11th August 2010.

The Sub Committee then heard from Mr Holmes on behalf of the PLH who responded to the submissions of WYP in detail. He acknowledged the breakdown in communication between staff at the Vine and the ABC management team but stated that since he had become aware of the problems he had made significant changes at the premises including those required by WYP in order to address the matters raised in the Section 19 Closure Order and had removed the DPS, employed and trained new staff; and changed the doorstaff team provider. Mr Holmes stated he was to review the ABC management structure and would undertake supervision of the Vine personally in the short term. The Sub Committee also heard from Mr Cooney regarding his involvement in the management of the premises and from Mr & Mrs Joyce regarding current day to day management.

Following full and lengthy consideration of the options open to the Sub-Committee in the determination of Review applications; Members were satisfied by the evidence of WYP and found in particular that the current doorstaff arrangements were inadequate and that door staff had failed to recognise patrons previously barred from the premises and had failed to supervise the premises and that staff had allowed patrons to drink alcohol to excess. Members resolved that matters at the premises over a period of time had undermined both the crime prevention and protection of children from harm licensing objectives.

The Sub-Committee also had regard to the submissions of the PLH over the improvements at the premises since the removal of the previous DPS. Members were however keen to ensure the premises would promote the licensing objectives from this point on and felt it was necessary to take steps to address the situation.

RESOLVED – to take the following steps

a) Door staff

The current doorstaff supervision was felt to be inadequate and this had contributed to undermining the prevention of crime and disorder objectives at various times of the day, and not just at weekends. Members would rather the

new DPS focussed on management of the premises, and not be concerned with the doors and therefore imposed the following:

- 1x SIA registered doorstaff to be on duty at all times the premises is open to the public
- 2x SIA registered doorstaff to be on duty from 19:00 hours until the premises close

b) Training

The Sub Committee felt the training provided to staff was woeful.

Notwithstanding the submissions from Mr Holmes and Mr Cooney, the Sub Committee was not satisfied the in-house training given was fit for purpose and imposed:

- The Premise Licence Holder shall engage an external licensing training provider to retrain all staff from the premises

c) Suspension

- The Premises Licence shall be suspended for a period of 3 weeks, during which the Sub Committee requires the training of all staff to commence. The suspension shall take effect from the date of despatch of the Notice of Decision following this hearing

d) Conditions

- The PLH shall adopt and operate a Check 25 proof of age scheme which is acceptable to West Yorkshire Police
- The premises shall join the Leeds City Centre Pub watch scheme
- Copies of all staff training records shall be supplied to West Yorkshire Police on completion of the individuals' training (to contain details of the staff, dates, and provider)

The Sub Committee felt that these measures were necessary and proportionate given the representations and evidence supplied by WYP

Members encouraged the PLH to continue to work with WYP and urged them to

- identify an appropriate smoking area for patrons
- approach METRO with a view to seeking removal and relocation of the bus stop currently to the front of The Vine and to take up the offer of support from WYP in this matter